

Docket No. END-897 DIV2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Seth A. Forester et al.

Serial No. : 10/734, 671

Art Unit: Not Assigned

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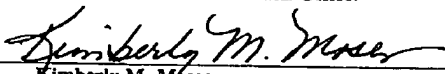
Filed : December 12, 2003

Examiner: Not Assigned

JUL 20 2004

For : METHODS AND DEVICES FOR DEFINING
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Kimberly M. Moses Date 7/20/04

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

[X] In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set

forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/END-897DIV2/GSG the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

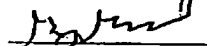
☐ Statement in Accordance with §1.97(e) (attached); or

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☒ Copies of references listed on the attached Form PTO-1449 are not included under 37CFR 1.98(d) where the references have been cited in US Patent Application 09/776,125 to which the application claims priority.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/GSG/END-897 DIV2.

Respectfully submitted,



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Date: July 22, 2004

PTO/SB/08A (08-00)

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**SUPPLEMENTAL INFORMATION
DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 2

Application Number	10/734,671
Filing Date	December 12, 2003
First Named Inventor	Seth A. Foerster et al.
Group Art Unit	Not Assigned
Examiner Name	Not Assigned
Attorney Docket Number	END-897 DIV2

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		3,592,185		Ephraim, et al.	07-13-1971	ALL
		4,087,791		Lemberger	05-02-1978	ALL
		4,541,438		Parker, et al.	09-17-1985	ALL
		4,735,210		Goldenberg	04-05-1988	ALL
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		5,041,826		Milheiser	08-20-1991	ALL
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		5,433,751		Christel, et al.	07-18-1995	ALL
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		5,470,308		Edwards, et al.	11-28-1995	ALL
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		5,555,885		Chance	09-17-1996	ALL
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		5,582,172		Papisov, et al.	12-10-1996	ALL

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ³
		Office ³	Number ⁴	Kind Code ⁵				
		WO	98/09247	A1	Cothren, et al.	03-05-1998	ALL	
		WO	98/52617	A2	McIntire, et al.	11-26-1998	ALL	

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		Number	Kind Code ² (if known)			
		5,595,177		Mena, et al.	01-21-1997	ALL
		5,674,288		Knapp, et al.	10-07-1997	ALL
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		5,857,463		Thurston, et al.	01-12-1999	ALL
		5,868,778		Gershony, et al.	02-09-1999	ALL
		5,895,640		Khalkhali	04-20-1999	ALL
		5,899,865		Chance	05-04-1999	ALL
		5,913,857		Ritchart, et al.	06-22-1999	ALL
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		5,977,431		Knapp, et al.	11-02-1999	ALL

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		Office ³	Number ⁴	Kind Code ⁵				
		WO	99/25248	A1	Carroll	05-27-1999		
		WO	99/46284	A2	Rajotte, et al.	09-16-1999		

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	Filing Date	December 12, 2003
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Sheet 1 of 3

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		Kind Code	Number (if known)			
		Re. 35,391		Brauman	12-03-1996	ALL
		3,194,239		Sullivan	01-16-1963	ALL
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		4,365,572		Gullemin et al.	11-02-1982	ALL
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		5,192,300		Fowler	03-19-1993	ALL
		5,195,988		Haaga	03-23-1993	ALL
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		5,433,751		Christel et al.	07-18-1995	ALL
		5,470,308		Edwards et al.	11-28-1995	ALL
		5,514,379		Weissleder et al.	05-07-1996	ALL
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		5,824,081		Knapp et al.	10-20-1998	ALL
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		2004/0024304	A1	Foerster et al.	02-05-2004	ALL
		2001/0034528	A1	Foerster et al.	10-25-2001	ALL
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Sheet 2 of 3

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials	Cite No.	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		WANG HOM-LAY et al. "Evaluation of an Absorbable Collagen Membrane in Treating Class II Furcation Defects"; pp 1029-1036. November 1994.	
		BROPHY M. REGINA et al. "Biodegradable Polyester Polymers as Drug Carriers". Pp 1-25.	
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Examiner Signature		Date Considered	

PTO/SB/88A (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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		PARK, KINAM et al.; "Biodegradable Hydrogels for Drug Delivery." Purdue University, School of Pharmacy. Pp. 2-28	
		CHU, C.C. and DUMITRIU, SEVERIAN <u>Polymeric Biomaterials 2nd ed.</u> "Biodegradable Biomaterials Having Nitric Oxide Biological Activity." Ch. 5. Pp 123-124. and ROKKANEN, PENTTI U. "Bioabsorbable Polymers for Medical Applications with an Emphasis on Orthopedic Surgery." Ch. 20 Pp. 545-547.	
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